

REMARKS

Claims 1 and 3-17 are active in the present application.

Applicants wish to thank Examiner Sullivan and Examiner Falk for the helpful and courteous discussion with their undersigned Representative on June 3, 2003. The content of this interview is reflected in the amendments and remarks presented herein.

The rejection of Claims 1, 2, 9, 14, and 15 under 35 U.S.C. §102(e) over Culp et al is obviated by amendment.

Applicants note that the present claims are drawn, in part, to polypeptides having a C-terminal heptapeptide sequence of: Cys-Phe-Trp-Lys-Tyr-Cys-Xaa, in which Xaa represents Val or Ile, in that it belongs to the urotensin II family and is selected from the group consisting of the human sequences SEQ ID NO:1-3, the rat sequences SEQ ID NO:30-32, and the mouse sequences SEQ ID NO:33-35 (see Claim 1 and 10).

Culp et al which disclose a human urotensin II polypeptide having the claimed C-terminal heptapeptide sequence. However, as evidenced by the sequence alignment provided by the Examiner as part of paper number 12, the human urotensin II polypeptide of Culp et al only has a global homology score of 81.5% based on the sequence of SEQ ID NO:1. In order for a reference to anticipate an invention, the reference "must teach every element of the claim" (MPEP §2131). Accordingly, Culp et al does not anticipate the present invention.

Withdrawal of this ground of rejection is requested.

The rejections of (a) Claims 1, 14, and 15, and (b) Claims 9 and 10, under 35 U.S.C. §112, first paragraph, are obviated by amendment.

On page 5, lines 8-11 and on page 8, lines 10-12 of paper number 12, the Examiner has indicated that the specification is enabling "for a polypeptide comprising the sequences set forth as SEQ ID NO:1-3, 30-32 and 33-35 and a method of using said polypeptides for identifying anti-hypertensive agents" and for "pharmaceutical compositions or methods of treatment," respectively. Consistent with this indication, Applicants note that the present claims are drawn to polypeptides having a C-terminal heptapeptide sequence of: Cys-Phe-Trp-Lys-Tyr-Cys-Xaa, in which Xaa represents Val or Ile, in that it belongs to the urotensin II family and is selected from the group consisting of the human sequences SEQ ID NO:1-3, the rat sequences SEQ ID NO:30-32, and the mouse sequences SEQ ID NO:33-35 (see Claim 1 and 10). Therefore, Applicants submit that the present application is enabled for the presently claimed invention.

Withdrawal of this ground of rejection is requested.

The rejection of Claims 1, 2, 9, 10, and 14 under 35 U.S.C. §112, second paragraph, is obviated by amendment.

Applicants wish to thank Examiner Sullivan for pointing out the typographical errors in Claims 1 and 9, as well as for indicating the range-subrange relationship in Claim 10. Applicants would also like to thank Examiner Sullivan for the helpful suggestion to amend Claim 14. Applicants submit that the claims are now definite within the context of 35 U.S.C. §112, second paragraph.

Applicants request withdrawal of this ground of rejection.

The rejection of Claim 10 under 35 U.S.C. §101 based on recitation of the term "use" has been obviated by appropriate amendment.

Withdrawal of this ground of rejection is requested.

The objection to Claims 9 and 10 as being drawn to non-elected subject matter is obviated by appropriate amendment. Applicants request withdrawal of this ground of objection.

The objection to the specification has been obviated by the amendment presented hereinabove to add proper sequence identifiers to the brief description of the drawings on pages 10-11. Applicants request that the Office acknowledge that this ground of objection has been withdrawn in the next communication.

The objection to the drawings for misspelling of the word "human" is obviated by submission of formal drawings herewith. Applicants also wish to note that the submission of these drawings also serves to correct additional "misspelled" words. Namely, the original drawings were filed in the French language and have now been translated to English. Applicants request that the Office indicate that the drawings submitted herewith have overcome the objection and that the drawings have been accepted.

Serial No.: 09/831,907

Reply to Office Action of March 21, 2003

Applicants submit that the application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Norman F. Oblon
Attorney of Record
Registration No. 24,618

Vincent K. Shier, Ph.D.
Registration No. 50,552



22850

(703) 413-3000
Fax #: (703) 413-2220
NFO/VKS